

JOURNAL OF THE SENATE

THURSDAY, APRIL 16, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, April 15, 1931.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinley, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Wednesday, April 15, was corrected, and as corrected was approved.

REPORTS OF COMMITTEES

CORRECTED REPORT

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 14th, 1931

Hon. Pat Whitaker,
President of the Senate.

Sir—

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 5:

A bill to be entitled An Act to Repeal Chapter 8584, Acts of 1921, Laws of Florida, relating to equalization of taxes between counties and creating a position of State Tax Equalizer.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
ALFRED H. WAGG,
Chairman of Committee.

And Senate Bill No. 5, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir—

Your committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 97:

A bill to be entitled An Act to designate and establish a State Road between the point where the Ocean Avenue intersects State Road Number One Hundred Forty in Section Twenty-seven, Township Forty-five South, Range Forty-three East, and a point on a certain State Road at or near the Southeast corner of Section Thirty-four, Township Forty-five, South, Range Forty East, of Tallahassee Meridian in Florida, designating the route thereof and providing for a survey by, and number designation given thereto, by the State Road Department of the State Road Department of Florida.

Have had the same under consideration and recommend that the same do pass.

Very respectfully,
PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 97, contained in above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir—

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 95:

A bill to be entitled An Act to designate and establish a State Road to connect State Road Number Four at its intersection with Jupiter Concourse in Section 5, Township 41, South, Range 43 East of Tallahassee Meridian in Florida, with State Road Number 85 at a point on State Road Number 25 where the same crosses the St. Lucie Canal, and being the point of junction of State Road Number 85 with State Road Number 109, designated the route thereof and providing a survey by and number designation to be given thereto by the State Road Department of the State of Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 95, contained in the above report, was placed on the Calendar on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir—

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 101:

A bill to be entitled An Act to designate and establish a State Road to connect State Road Number 25 at its crossing of the Hillsborough Canal with State Road Number 140 at its intersection with Atlantic Avenue in Section 16, Township 46 South, Range 43 East of Tallahassee Meridian in Florida, designating the route thereof and providing for a survey by, and number designation to be given thereto by the State Road Department of the State of Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 101, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir—

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 96:

A bill to be entitled An Act to designate and establish a State Road to connect State Road Number 25 with State Road Number 29 in the Northeast Quarter of Section 4, Township 38 South, Range 35 East, to a point on State Road Number 25 where the same intersects the Range line between Ranges 39 and 40 East of Tallahassee Meridian in Florida, designating the route of said road and providing for a survey thereof and a number designation to be given thereto by the State Road Department of the State of Florida.

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Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 96, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir—

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 100:

A bill to be entitled An Act to designate and establish a State Road to connect State Road Number 25 with State Road Number 149 where each of the aforesaid State Roads is intersected by the Range line between Ranges 41 and 42 East of the Tallahassee Meridian in Florida. Designating the route thereof and providing for a survey by, and number designation by the State Road Department of the State of Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 100, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir—

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 27:

A bill to be entitled An Act to provide for the paving by the State Road Department of roads leading through grounds of the Florida State College for Women.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 27, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 16, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 102:

A bill to be entitled An Act to designate and establish a State Road to connect State Road number four with State Road number 149, running from the point of junction of State Roads number four and number 140 Southerly to a point on State Road number 149, a point approximately one mile West of the point of intersection of the Range line between Ranges 42 and 43 East of Tallahassee Meridian in Florida, with State Road number 149, designating the route thereof and providing for a survey by, and number designation to be given by the State Road Department of the State of Florida.

Have had the same under consideration, and recommended that the same do pass.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 102, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 18, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 98:

A bill to be entitled An Act to designate and establish a State Road in Palm Beach County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 98, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 99:

A bill to be entitled An Act to establish and designate a State Road in Palm Beach County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 99, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 103:

A bill to be entitled An Act to designate a State Road to connect State Road number 140 with a certain other State Road running along the Range line between the Ranges 41 and 42 of Tallahassee Meridian in Florida, designating the route thereof and providing for a survey by, and number designation by the State Road Department of the State of Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 103, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 82:

A bill to be entitled An Act to declare, designate and establish a certain State Road in Santa Rosa, Okaloosa, Walton, Holmes and Jackson Counties, Florida, have had the same under consideration, and recommend that the same do pass with the following amendment:

In Section 2, line 3 (printed bill), strike out the words "Unless in the judgment of the State Road Department the same can be constructed without delaying the present system of State Roads, as now outlined and provided for, and at a saving to the State of Florida by reason of proximity of road crews working on other projects."

Have had the same under consideration, and recommend that the same do pass, with the amendment above mentioned.

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 82, with amendment, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Johns, Chairman of the Committee on Judiciary "A," submitted the following report:

Senate Chamber
Tallahassee, Fla., April 16, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Judiciary "A," to whom was referred:

Senate Bill No. 73:

A bill to be entitled An Act to declare certain dispositions of property to be for charitable purposes, and not in violation of the rule against perpetuities.

And—

Senate Bill No. 118:

A bill to be entitled An Act providing for the drawing, summoning and impaneling of juries for the Courts of the County Judges of the several counties of the State of Florida, having no County Court, Criminal Court or Court of Record and prescribing the manner of securing jurors to make up any deficiency thereof in the trial of any cause in such courts.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

E. M. JOHNS,
Chairman of Committee.

And Senate Bill Nos. 73 and 118, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Johns, Chairman of the Committee on Judiciary "A," submitted the following report:

Senate Chamber
Tallahassee, Fla., April 16, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Judiciary "A," to whom was referred:

Senate Bill No. 74:

A bill to be entitled An Act to relate to the examination of Witnesses.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

E. M. JOHNS,
Chairman of Committee.

And Senate Bill No. 74, contained in the above report, was placed on the table under the rule.

By unanimous consent the privileges of the floor were extended to the Honorable Perry G. Wall.

Senator Wagg, Chairman of the Committee on Finance and Taxation, moved that the rules be waived and that said Committee be permitted to withdraw the report filed on April 15, 1931, on Senate Bill No. 5 and corrected report filed this date be substituted therefor.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Futch moved that the rules be waived and that Senate Joint Resolution No. 3, reported unfavorably by the Committee on Constitutional Amendments, be restored to the

Calendar of Bills on second reading without recommendation.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 3 was ordered restored to the Calendar of Bills on second reading without recommendation.

INTRODUCTION OF RESOLUTIONS

By Senator Gomez—

Senate Resolution No. 16:

RESOLVED by the Florida State Senate that the President be, and he is hereby authorized and directed to instruct the Sergeant-at-Arms of the Senate to procure from time to time during the 1931 Session of the Senate, stamps for the use of the Senate for the transaction of official business;

BE IT FURTHER RESOLVED that the Sergeant-at-Arms be authorized and directed to dispense to the members of the Senate such stamps as the members require, providing that no member shall be given more than 30 two cent stamps per day;

BE IT FURTHER RESOLVED that such stamps be used by the members of the Senate for official business only, or for the purpose of communication with constituents upon matters of legislature pending before the Senate or contemplated by members of the Senate for introduction.

Which was read the first time in full.

Senator Gomez moved the adoption of the Resolution.

Which was not agreed to.

By Senator King—

Senate Concurrent Resolution No. 10:

WHEREAS, the Honorable Anton J. Cermak, an outstanding Democrat of the country, who has just succeeded in wresting control of Chicago from the hands of the Republican party and has been chosen as chief executive of the City of Chicago,

WHEREAS, Honorable Anton J. Cermak has honored the great State of Florida with a visit,

THEREFORE BE IT RESOLVED by the Senate of the State of Florida, the House of Representatives concurring, that Honorable Anton J. Cermak, Mayor of Chicago, is hereby extended greetings and a hearty welcome upon his visit to the Sunshine State.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Mayor Cermak at Miami.

Which was read the first time.

Senator King moved that the rules be waived and Senate Concurrent Resolution No. 10 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 10 was read a second time in full.

Senator King moved the adoption of the Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 10 was adopted.

And the same was ordered to be certified to the House of Representatives under the rule.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Irby —

Senate Bill No. 132:

A bill to be entitled An Act to amend Section 379, of Revised General Statutes of the State of Florida, 1920, which is Section 444 of the Compiled General Laws of Florida, 1927, referring and relating to contests of election to certain County officers.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senators Futch and Swearingen—

Senate Bill No. 133:

An Act relating to the use, operation, upkeep and repair of Motor Vehicles used for the purpose of conveying and transporting children to and from the several Public Free Schools of the State of Florida; and providing for the maintenance, inspection and equipment of such Motor Vehicles; and providing penalties for the violation of this Act.

Which was read the first time by its title only and referred to the Committee on Education.

By Senator Anderson—

Senate Bill No. 134:

A bill to be entitled An Act prescribing the manner by which elections may be called and held for the approval of the issuance of bonds by Counties, Districts and Municipalities of

the State of Florida, in compliance with Section six, Article nine of the Constitution of the State of Florida, as amended by the General Election, A. D. 1930, and to regulate the calling, holding, conduct and declaration of the result of same; to prescribe the effect thereof; to limit the right to contest same and to provide penalties for violation of this Act.

Which was read the first time by its title only and referred to the Committee on Judiciary "B".

By Senators Adams and Neel—
Senate Bill No. 135:

An Act to Repeal Chapter 9157 of the General Acts of the Regular Session, Florida Legislature 1923, relating to the protection of title of motor vehicles within this State; providing for the issuance of Certificate of Title and evidence of registration thereof, regulating the purchase, sale and transfer of ownership thereof, and providing penalties for the violation of provisions thereof.

Which was read the first time by its title only and referred to the Committee on Judiciary "C".

By Senators Parker and Hinely—

Senate Bill No. 136:

A bill to be entitled An Act amending Chapter 13853, Laws of Florida of 1929, being an Act declaring, designating and establishing State Road No. 69 and authorizing the State Road Department to take over said Road for construction and maintenance and requiring the construction of said Road by the State Road Department.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senator English—
Senate Bill No. 137:

A bill to be entitled An Act for the relief of J. P. Williamson and providing appropriation to compensate him for the loss of his son, Leroy Williamson, who was killed in a fall from a truck being operated by a member of the Florida National Guard while on duty.

Which was read the first time by its title only and referred to the Committee on Claims.

By Senator Johns—
Senate Bill No. 138:

A bill to be entitled An Act for the relief of Ury Green Sapp, individually, and as Tax Collector of Union County, Florida.

Which was read the first time by its title only and referred to the Committee on Claims.

By Senator Turner—
Senate Bill No. 139:

A bill to be entitled An Act to amend Section 43 of Chapter 13644, Laws of Florida, 1929, being Section 1977 of 1930 Supplement to Compiled General Laws of Florida, 1927, relating to the open deer season.

Which was read the first time by its title only and referred to the Committee on Game and Fisheries.

By Senator Stewart—
Senate Bill No. 140:

A bill to be entitled An Act to repeal Chapter 13800, General Laws of Florida, Acts of 1929, the same being "An Act to protect and preserve the shrimp and prawn in the tidewaters of the East Coast of the State of Florida; to provide for the regulating thereof, and for other purposes."

Which was read the first time by its title only and referred to the Committee on Game and Fisheries.

By Senator King—
Senate Bill No. 141:

A bill to be entitled An Act to amend Section 145 of the Revised General Statutes of the State of Florida, 1920, the same being Section 175 of the Compiled General Laws of the State of Florida, 1927; and Section 146 of the Revised General Statutes of the State of Florida, 1920, the same being Section 176 of the Compiled General Laws of Florida, 1927, relating to the sale and disposition and notice of sale and disposition by the Governor, Comptroller and Treasurer of Bonds and Securities deposited in the State Treasurer's office as collateral security for the deposit of State money and funds.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senator Getzen—
Senate Bill No. 142:

A bill to be entitled An Act to amend Section 13 of Chapter 10177, Laws of 1925, entitled: An Act to license and regulate the business of making loans in certain counties in sums of three hundred (\$300) dollars or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan.

Which was referred to the Committee on Banking.

Senator Getzen moved that the rules be waived and that Senate Bill No. 142 be recalled from the Committee on Banking and be referred to the Committee on Judiciary "A".

Which was not agreed to

By Senator Getzen—
Senate Bill No. 143:

A bill to be entitled An Act to define retain title contract covering personal property and to provide the manner in which such property so held may be retaken, recovered or repossessed upon failure of the vendee to make the payments therefor as contained in such contract.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senators Wagg, Whitaker, Adams, Gary and King—

Senate Bill No. 144:

A bill to be entitled An Act making an appropriation for the construction of a State Spanish American War Memorial Building to be erected and furnished on a site to be selected by the National Memorial Committee, United Spanish War Veterans, in the City of Tampa, Florida, and to provide for the erection and furnishing of the building and the custody and care thereof when erected.

Which was read the first time by its title only and referred to the Committee on Appropriations.

STATE OF FLORIDA

Executive Department,
Tallahassee, April 16, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

I have the honor to inform you that on this the 16th day of April, A. D. 1931, I approved the following Resolutions, which originated in your Honorable Body and have caused the same to be filed in the office of the Secretary of State:

Senate Concurrent Resolution No. 2:

Relating to the employment of a clerk or bookkeeper for keeping certain records of the Legislature.

And—

Senate Concurrent Resolution No. 3:

Relating to an invitation to Honorable Perry G. Wall to address the Legislature April 16, 1931, on Taxation.

And—

Senate Concurrent Resolution No. 4:

Relating to securing space for cold drink, etc., stand in the lobby of the Capitol Building during session of the Legislature.

And—

The following Resolution which also originated in your Honorable Body is hereby filed in the office of the Secretary of State this the 16th day of April, A. D. 1931, without my approval:

Senate Concurrent Resolution No. 1:

Relating to receiving the Governor's message to the Legislature.

Very respectfully,

DOYLE E. CARLTON,
Governor.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, April 16, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has passed—

House Concurrent Resolution No. 6:

A Concurrent Resolution inviting General Chas. P. Summerrall to address the Legislature at 11:00 o'clock A. M., April 22, 1931.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 6, contained in the above message, was read the first time in full.

Senator Futch offered the following amendment to House Concurrent Resolution No. 6:

Add the following:

BE IT FURTHER RESOLVED, That the Governor and all Members of the Cabinet, together with the Justices of the Supreme Court, be and they are hereby invited to be present on the occasion herein by this Resolution provided for and that the Secretary of the Senate and the Chief Clerk of the House of Representatives be and they are hereby instructed to communicate such invitation to the Governor and the several members of the Cabinet and to the Justices of the Supreme Court.

Senator Futch moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Futch moved that the Rules be waived and that House Concurrent Resolution No. 6 be read the second time in full.

Which was agreed to.

And House Concurrent Resolution No. 6 was read the second time in full.

Senator Futch moved the adoption of the Resolution.

Which was agreed to.

And House Concurrent Resolution No. 6 was adopted.

And the action of the Senate was ordered to be certified to the House of Representatives under the rule.

The time having arrived for the consideration of Special Orders, the notice given by Senator Harrison of intention to move that the Senate reconsider the vote by which Senate Bill No. 35 failed to pass the Senate, was taken up and informally passed.

House Concurrent Resolution No. 1:

A CONCURRENT RESOLUTION WITH REFERENCE TO ANY GENERAL SALES TAX LEGISLATION.

WHEREAS for considerable time there has been state-wide agitation with reference to a general sales tax law, and

WHEREAS at this session of the Legislature it is most important that the time of the Legislature be taken up and consumed only by consideration of those measures which appear to be practical and which appear to have some chance of passage, and

WHEREAS it is desirable that the merchants, business interests and other people of the State generally be informed immediately of the sense of this session of the Legislature with reference to any proposed general sales tax legislation, and

WHEREAS in his message to the Legislature the Governor of our State has ably pointed out the dangers of any such legislation and has condemned the same in no uncertain terms, and

WHEREAS the legislative taxation committee in its report has recommended that no general sales tax legislation be considered at this session,

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

SECTION 1. That no general sales tax legislation will be considered by the Legislature, and should any be introduced the same will be indefinitely postponed or otherwise eliminated from consideration.

SECTION 2. That it is unnecessary for the people or the merchants of the State of Florida to raise any money to employ lobbyists or to go to any expense in opposing any general sales tax legislation.

Was taken up and read the second time in full.

Senator Futch offered the following amendment to House Concurrent Resolution No. 1:

After the last "WHEREAS" and before "NOW THEREFORE" insert

"WHEREAS the Florida Citizen Finance and Taxation Committee, consisting of business men and not office holders and politicians, have recommended the adoption of a gross retail sales tax."

Senator Futch moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Wagg moved that the House Concurrent Resolution No. 1 be indefinitely postponed.

Which was agreed to.

And House Concurrent Resolution No. 1 was indefinitely postponed.

And the action of the Senate was ordered to be certified to the House of Representatives under the rule.

Senate Bill No. 61:

A bill to be entitled An Act to provide for the service of process in Civil Suits against Nonresident Motor Vehicle Operators, for the giving of notice to such defendants of the institution of such suits, and prescribing the manner in which proof of such service shall be made, and providing for a fee to be paid to the Secretary of State for his services in connection therewith.

Was taken up and read the third time in full.

Upon passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Howell, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Taylor, Turner, Watson—30.

Nays—None.

So the bill passed title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senate Bill No. 44 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 43 was taken up in its order and in compliance with the recommendation of the Committee on Judiciary "A" was re-referred to the Committee on Labor.

Senate Bill No. 20 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 66 was taken up in its order and the consideration of same was informally passed.

Senator Watson moved that 300 copies of Senate Bill No. 66 be printed for distribution.

Which was agreed to.

And it was so ordered.

Senate Bill No. 76:

A bill to be entitled An Act amending Section 256 of the Revised General Statutes of 1920, Laws of Florida, the same being Section 311 of the Compiled General Laws of Florida relating to the qualifications of Candidates in any General Election to be held in the State of Florida.

Was taken up and read the second time in full.

Senator Getzen offered the following amendment to Senate Bill No. 76:

In title, line 1, strike out the figures "311" and insert in lieu thereof the figures "312."

Senator Getzen moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Getzen moved that the rules be waived and that Senate Bill No. 76, as amended, be read the third time in full and put upon its passage.

Which was not agreed to.

And Senate Bill No. 76 as amended was referred to the Committee on Engrossed Bills.

Senate Bill No. 78:

A bill to be entitled An Act to release owners of Motor Vehicles from responsibility for injuries to passengers therein.

Was taken up and read the second time in full and the same ordered to be placed on the Calendar of Senate Bills on third reading.

Senate Bill No. 93:

A bill to be entitled An Act making it harmless error for one Judge to act instead of another who erroneously recuses himself or certifies his disqualifications through error.

Was taken up and read the second time in full and the same

was ordered to be placed on the Calendar of Senate Bills on third reading.

By permission the following bills were introduced:

By Senator Parrish—
Senate Bill No. 145:

A bill to be entitled An Act designating as a State Road that certain road beginning at the southwest corner of the southeast quarter of the southeast quarter of Section 28, Township 20, Range 32, in Seminole County, Florida, where it intersects with State Road number 44, and running in a southwesterly direction along the paved road as now located and known as the Oviedo-Geneva Road to the intersection of Broadway and Bay Streets in Oviedo, Florida, and thence running west approximately five-eighths of a mile; thence in a southwesterly direction along the present paved road as now located and now known as the Oviedo-Winter Park Road to its intersection with the Orange County Line at the southwest corner of the southeast quarter of the southeast quarter of Section 35, Township 21, Range 30, in the County of Seminole and State of Florida; thence continuing and following the present paved road to the point where said road intersects with the city limits of the Town of Winter Park, Florida.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senators Parrish and King—
Senate Bill No. 146:

A bill to be entitled An Act designating as a State Road that certain road beginning at a point on State Road number 3, approximately three miles south of the City of Sanford, where the present paved road to Oviedo intersects said road number 3; thence along said paved road to the intersection of Broadway and Bay Streets in the Town of Oviedo, Florida, and thence running in a southeasterly direction along the paved road, as not located, and known as the Chuluota-Oviedo Road, to Chuluota, Florida; thence continuing south along the section line between Sections 28, 29, 32 and 33, Township 21, Range 32, in the County of Seminole, to its intersection with the Orange County line; and thence continuing on the present paved road to the intersection of said road with State Road number 22.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senator Harris—
Senate Bill No. 147:

A bill to be entitled An Act to amend Sections 4510, 4512 and Paragraph 8 of Section 4514 of the Revised General Statutes of Florida as amended by Chapter 9144, Chapter 10097 and Chapter 14544 of the Laws of Florida, relating to the organization, management and cooperation of agriculture, vitacultural and horticultural non-profit cooperative associations.

Which was read the first time by its title only and referred to the Committee on Citrus Fruits.

By Senator Clarke—
Senate Bill No. 148:

A bill to be entitled An Act to amend Section 1984 of the Compiled General Laws of Florida 1927 relating to the number of copies of statutes and disposition thereof.

Which was read the first time by its title only and referred to the Committee on Judiciary "A."

By Senators King, Hodges and Parrish—
Senate Bill No. 149:

A bill to be entitled An Act to provide for the establishment, preparation and maintenance of intermediate aviation landing fields in the State of Florida by the Road Department of the State of Florida; to authorize counties and municipalities in the State of Florida to acquire by purchase, eminent domain, or otherwise, sites for the establishment of such aviation landing fields and to convey same to the State of Florida for such purposes, and to authorize and empower the Board of Trustees of the Internal Improvement Fund to dedicate, set apart or convey sites for such aviation landing fields to the State of Florida, or to exchange lands belonging to said Trustees of the Internal Improvement Fund so as to acquire for the State of Florida suitable intermediate aviation landing fields; and to authorize the State Road Department to cooperate with the United States Department of Commerce in the matter of laying out Airways and Landing Fields.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senator Caro—
Senate Bill No. 150:

A bill to be entitled An Act to prevent fraud or misrepresentation in the distribution or sale of lubricating oil; regulating the distribution or sale of such product; defining the powers and duties of the Commissioner of Agriculture, and the officers and employees thereof in relation thereto; prescribing penalties for the violation of the provisions hereof; and providing for the enforcement thereof.

Which was read the first time by its title only and referred to the Committee on Judiciary "C."

By Senator Getzen—
Senate Bill No. 151:

A bill to be entitled An Act Declaring, designating and establishing State Road Number Twenty-Three, and to provide for the construction in such system of highways.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By unanimous consent Senator Getzen was allowed to withdraw Senate Bill No. 41.

By Senator Caro—
Senate Bill No. 152:

A bill to be entitled An Act relating to the liability of steam railroad or railway companies to their employees and the dependents of such employees in cases of personal injury or wrongful death.

Which was read the first time by its title only and referred to the Committee on Organized Labor.

By Senator Getzen—
Senate Bill No. 153:

A bill to be entitled An Act to provide and prescribe regulations for the conduct and operation of Laundries, Cleaning Establishments, Pressing Clubs and similar businesses; for the creation of a Board of Laundry Supervisors, with powers, duties and authority thereof; and prescribing penalties for violation of said regulations.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senator Howell—
Senate Bill No. 154:

A bill to be entitled An Act for the relief of Wm. (Bill) Denton of Gulf County, Florida.

Which was read the first time by its title only and referred to the Committee on Claims.

The Senate then reverted to the consideration of Senate Bills on second reading.

Senate Bill No. 58:

A bill to be entitled An Act relating to the publication of legal notices and process in newspapers in the State of Florida; providing that no notice or process of any kind, nature, character or description provided for under any law of the State of Florida, whether heretofore or hereafter enacted, shall be deemed to have been published in accordance with the Statute providing for such publication, unless the same shall have been published for the prescribed period of time in a newspaper, which at the time of such publication shall have been continuously published at least once each week and shall have been entered as second class mail matter at a post office in the county where published for a period of two years next preceding the first insertion of such publication, or in a newspaper which is the direct successor of a newspaper which has been so published; provided, however, that nothing contained in this act shall apply where in any county of the State of Florida there shall be no newspaper in existence which shall have been published for the length of time prescribed by this Act.

Was taken up and read the second time in full.

And the same was ordered to be placed on the Calendar of Senate Bills on Third Reading.

Senate Joint Resolution No. 2:

A Joint Resolution proposing an Amendment to Article IX of the Constitution of the State of Florida relating to Taxation and Finance.

Was taken up and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Senate Joint Resolution No. 2:

In Section 14, line 2, strike out the word The, and in Sec-

tion 14, line 3, strike out the words of Citizens or Residents of this State.

Senator Bell moved the adoption of the amendment.

Which was agreed to.

And the Committee Amendment was adopted.

And Senate Joint Resolution No. 2 was referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 10 was taken up in its order and the consideration of same was informally passed.

Senate Joint Resolution No. 19 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 25 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 31 was taken up in its order and the consideration of same was informally passed.

Senate Joint Resolution No. 62:

A Joint Resolution proposing an amendment to Section 2 and to Section 4 of Article V of the Constitution of Florida relating to the Judiciary Department.

Was taken up and read the second time in full.

And the same was ordered placed on the Calendar of Bills on third reading.

Senator King moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 12:50 o'clock P. M.

The Senate emerged from Executive Session at 1:16 o'clock P. M.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

A quorum present.

The hour of adjournment having arrived, a point of order was called and thereupon the Senate stood adjourned at 1:17 o'clock P. M., until 8:00 o'clock P. M., pursuant to Senate Concurrent Resolution No. 3.

EXECUTIVE SESSION

The Senate in executive session on April 13, 1931 advised and consented to the following removals from office by the Governor:

C. G. Thomas, Tax Collector in and for Gilchrist County, Florida;

C. C. Walling, Constable in and for District No. 1, Santa Rosa County, Florida.

NIGHT SESSION

Pursuant to adjournment this date and to Senate Concurrent Resolution No. 3 the Senate convened in joint session with the House of Representatives in the Hall of the House of Representatives at 8:00 o'clock P. M.

The President of the Senate in the Chair.

By direction of the President the roll of the Senate was called and the following members answered to their names:

Mr. President, Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, Eng-

lish, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

By direction of the Speaker the roll of the House of Representatives was called and the following members answered to their names:

Mr. Speaker, Messrs. Albury, Anderson, Andrews, Barrow, Bass, Beasley, Black, Bledsoe, Bloodworth, Booth, Blount, Brock, Brown, Bullard, Burnett, Caldwell, Chapman, Chappell, Coffee, Collier, Dann, Davis, Douglas, Durrance, Elliott, Finlayson, Fuller, Goff, Hagan, Harrell, Holmes, Horne (Jackson), Horne (Madison), Kanner, Keen, Kehoe, Kelly, Kendrick, Kennedy, Larson, Lee (Highlands), Lea (Manatee), Lewis (Palm Beach), Lindler, Lowe, Madison, Mason, Mathews (Duval), Mattheus (Gilchrist), Mitchel, Moon (Citrus), Moon (Marion), Morton, McKenzie, McRoy, Nordman, Page, Parker, Peeples, Poppell, Prine, Roberts, Robineau, Rowe, Rogers, Sapp, Shackelford, Sledge, Smith, Steed, Stewart, Strickland, Stone, Strom, Sturkie, Taylor, Teague, Tomasello, Trammell (Brevard), Trammell (Calhoun), Wainwright, Walker, Ward, Warner, Watson, Wentworth, Westbrook, Wester, West, Whitman, Wicker, Wood, Yearty, Zimm—95.

A quorum of the Senate and House of Representatives present.

The President introduced Senator Hodges of the Eighth District as the presiding officer of the Joint Session.

Mr. Mathews of Duval County moved that a committee of three be appointed to escort Honorable Perry G. Wall to a seat on the rostrum.

Which was agreed to.

And the Chair appointed Senators Neel and Hinely and Mr. Mathews of Duval as such committee.

Honorable Perry G. Wall was duly escorted to a seat on the rostrum.

Senator Harrison moved that a committee of three be appointed to escort United States Senator Harry B. Hawes to a seat on the rostrum.

Which was agreed to.

And the Chair appointed Senators Harrison and King and Mr. Nordman as such committee.

Honorable Harry B. Hawes was duly escorted to a seat on the rostrum.

Mr. Parker moved that a committee of three be appointed to escort his Excellency, Governor Doyle E. Carlton to a seat on the rostrum.

Which was agreed to.

And the Chair appointed Senators Harris and Bell and Mr. Parker as such committee.

And the Honorable Doyle E. Carlton, Governor of the State of Florida, was duly escorted to a seat on the rostrum.

The Chair presented the Honorable Harry B. Hawes, United States Senator from the State of Missouri, to the Joint Session who delivered an address on the Conservation of the Black Bass in the State of Florida.

Mr. Tomasello presented Honorable A. W. Weeks, former member of the House of Representatives from Holmes County, to the Joint Session, who was invited by the Chair to occupy a seat on the rostrum.

The Chair presented the Honorable Perry G. Wall, of Tampa, Chairman of the Citizen Tax Investigation Committee, to the Joint Session, who delivered an address on the subject of Taxation.

Thereupon the Joint Session of the Senate and the House of Representatives stood adjourned, the Senate standing adjourned until 11:00 o'clock A. M., Friday, April 17, 1931.